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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/798,003	03/11/2004	Joseph R. Pace	RP 04-1-1	5159

23531 7590 06/28/2006

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EXAMINER	
PHAM, LAM P	

ART UNIT	PAPER NUMBER
2612	

DATE MAILED: 06/28/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/798,003	PACE ET AL.	
	Examiner	Art Unit	
	Lam P. Pham	2612	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *11 March 2004*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-20* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-20* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date *3/11/04*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Claim Objections

1. Claims 13 and 20 objected to because of the following informalities: claim 13 should have the word "circuit" deleted on line 2 and claim 20 should have the words "altering a remote user" replace with "alerting a remote user" . Appropriate correction is required.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3. Claims 1, 3-6, 8-13, rejected under 35 U.S.C. 103(a) as being unpatentable over Basile (US 4097843) in view of Teague (US 5793284).

Regards claim 1, Basile discloses an apparatus for monitoring and alerting a power disruption comprising:

a housing having a first panel and a second panel (Figure 1);

a male outlet (12) on said first panel, said male outlet capable of receiving power from a power outlet (WR) when said male outlet is coupled to a power outlet;

at least one female outlet (52) on said second panel conductively connected to said male outlet, said at least one female outlet incorporating an auxiliary contact point (pin 72) on a neutral side (ground 58) of said at least one female outlet; said auxiliary

contact making electrical contact when male outlet of a monitored appliance is inserted into said at least female outlet, see Figures 2-3;

a monitoring circuit in said housing for detecting a power disruption for an appliance coupled to said at least one female outlet, said power disruption including a power failure in said housing (resulting from plug 12 disconnected from WR), a power failure from said power outlet and a power disconnection between said appliance and said at least one female outlet; as seen in figures 2-3; col. 3, lines 10-25 and col. 3, line 51 to col. 4, lines 13.

an alarm circuit (bell 44, lights 50) coupled to said monitoring circuit, said alarm circuit providing an alarm upon detection of said power disruption as seen in col. 3, lines 18-37;

an automatic telephone dialer for ringing a prerecorded number to transmit a prerecorded message to home owner at remote location via a telephone line.

a battery (40) in said housing providing power to said monitoring circuit, said alarm circuit and said telephone dialer in case of said power failure in said housing;

However, Basile fail to disclose a transmitter circuit in said housing for broadcasting a wireless signal in case of said power disruption.

Since Basile suggests the use of a telephone line to transmit a prerecorded message to a home owner at a remote location in case of power disruption, and it has been known in the art to alternatively use a wireless transmitter circuit for transmitting alarm signal to a remote location, thus it would have been obvious to one of ordinary

skilled in the art alternatively use a transmitter circuit for broadcasting a wireless alarm signal.

Teague teaches of a portable radio paging alarm apparatus (10) connecting to a vehicle power outlet via the male plug (37) for sensing a vehicle power failure and paging or transmitting an alarm signal to a remote personnel carrying a radio paging receiver (28); the vehicle power failure disrupts power flow from the vehicle to the apparatus and as a result, the apparatus turns on its backup battery to page the user of the condition as seen in Figures 1-4; col. 4, lines 23 to col. 6, lines 33.

In view of Teague teaching, it would have been obvious to one of ordinary skilled in the art to use a transmitter circuit or paging circuit for broadcasting a wireless signal to remote personnel when there is a power disruption from a power outlet or power failure within the apparatus itself.

Regards claim 3, Basile discloses said alarm circuit includes a visual alarm (lights at terminal 50) and an audible alarm (bell 44) as seen in Figure 1; col. 3, lines 10-26.

Regards claim 4, Basile disclose comprising a power switch (32) on top panel of housing of the warning device (10) and whether the power switch is on the first panel is just a matter of design choice.

Regards claims 5-6, Basile fail to disclose said battery includes a rechargeable battery and further comprising a battery charging circuit in said housing.

However, Teague teaches of a rechargeable battery (13) along with battery charger (15) inside the housing of the portable alarm apparatus as seen in Figure 3.

In view of Teague teaching, it would have been obvious to one of ordinary skilled in the art to use a rechargeable battery and a battery charging circuit for charging the battery when power is connected and when the power is disrupted, the battery would power to the portable alarm apparatus.

Regards claim 7, Basile and Teague both fail to disclose further comprising a power surge suppression circuit.

Examiner takes Official Notice that a power surge suppression circuit has been well known in the art for protection of important electrical equipment from the electrical spikes that occur from times to times in power lines. Thus, it would have been obvious to one of ordinary skilled in the art to incorporate a surge suppression circuit into the receptacle adaptor of Basile in order to protect appliances connected to it from power spikes that would damage the appliances or electrical equipment.

Regards claim 8, referring to claim 1 for explanation.

Regards claim 9, referring to claim 3 for explanation.

Regards claim 10, referring to claim 4 for explanation.

Regards claim 11, referring to claims 5-6 for explanation.

Regards claim 12, referring to claim 2 for explanation .

Regards claim 13, referring to claim 7 for explanation.

4. Claims 2, 14-20 rejected under 35 U.S.C. 103(a) as being unpatentable over Basile in view of Teague and Amato (US 6255936).

Regards claim 2, both Basile and Teague fail to disclose specifically the remote monitor (pager) having:

a radio receiver circuit receiving said wireless signal from said transmitter circuit in said housing;

a power switch for selectively enabling said remote monitor;

an alarm circuit for alerting a remote user upon reception of said wireless signal, said alarm circuit including a visual alarm and an audible alarm; and

a battery providing power to radio receiver circuit and said alarm circuit.

However, it has been known in the art of remote alarm monitoring to use a portable remote monitor having a wireless receiving circuit, a power switch, an alarm circuit including audible, visual or tactile alarm and a battery for powering the monitor.

Amato in "Beeper security system" teaches of a portable personal pager (30) for receiving an alarm signal from a control mechanism (14, 24) of residence (10) or vehicle (20) and provide alarm signal comprising tactile, visual (lights 36, 38) and audible (beep) to alert a user of the pager. Since the pager is portable, it contains a battery (not shown) for powering the pager and a power switch (not shown) for selectively enabling the pager when monitoring is desired as well known in the art.

In view of Amato teaching, it would have been obvious to one of ordinary skilled in the art to utilize a radio receiving pager comprising a radio receiving circuit, a power switch, an alarm circuit and a battery for providing power to the pager circuits.

Regards claim 15, referring to claim 3 for explanation.

Regards claim 16, referring to claim 4 for explanation.

Regards claim 17 referring to claim 5 for explanation.

Regards claim 18, referring to claim 6 for explanation.

Regards claim 19, referring to claim 7 for explanation.

Regards claim 20, Basile and Teague both fail to disclose further comprising a plurality of receptacle monitors and at least one remote monitor receiving said wireless signal from said plurality of receptacle monitors and alerting a remote user upon reception of said wireless signal from one of said receptacle monitor.

However, Amato in "Beeper security system" teaches of a personal pager (3) receiving an alarm signal from a vehicle monitor device (24) and a residence monitor device (14) and alerting a user of the source the pager receiving the signal from as seen in Figures 1-3; col. 2, lines 47 to col. 3, lines 34.

In view of Amato teaching, it would have been obvious to one of ordinary skilled in the art to provide a plurality of receptacle monitors and at least one monitor similar to pager of Amato for receiving a wireless signal from said monitors and alerting a user upon reception of said wireless signal from one of said receptacle monitor.

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Girismen (US 4059843) disclose an overload and ground fault protective device.

Zeder (U S5347095) disclose an electrical receptacle monitoring connections.

Yu (US 5761021) disclose a plug-in voltage surge suppression device.

Adler (US 6424252) disclose a paging system for washers and dryers.

Pyrros (US 6955559) disclose a multiplex electrical receptacle with surge suppression device.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lam P. Pham whose telephone number is 571-272-2977. The examiner can normally be reached on 10AM-7PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel J. Wu can be reached on 571-272-2964. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Lam Pham
May 31, 2006.

DANIEL WU
SUPERVISORY PATENT EXAMINER
6/23/06